

Incorporated Village Of Lawrence
196 Central Ave Lawrence NY 11559
516-239-3987
Fax 516-239-9657
Building Department
Board of Zoning Appeals
Instructions for Variance Application

The following items must be submitted to the Building Department by the submission deadline (please note, additional items may be required and some listed items may not be required depending on the nature of the variance requested):

1. One (1) original and eight (8) copies of a fully filled out, signed and notarized BZA Variance Application (*BZA APP-1*)
2. One (1) original and eight (8) copies of the typewritten petition signed by the homeowner to include:
 - a. Descriptions of the property, address, section, block, and lot numbers and state any improvements to the property.
 - b. State the request being made in the building now being appealed.
 - c. State whether previous applications have been made for the same or similar relief.
 - d. State whether previous applications have been made for any other relief, such as prior variances.
 - e. State any relief that has been granted, including nature of relief, date approved, etc.
 - f. State the section(s) of the Village Ordinance from which relief is being sought.
 - g. State the basis for requesting such relief, e.g.: hardship.
 - h. All evidentiary materials and/or any additional information pertinent to the application.
 - i. Letters of support from the most impacted neighbors should be submitted with the petition.
3. One (1) original and eight (8) copies of a fully filled out, signed and notarized Homeowner Affidavit (*BZA HA-1*)
4. One (1) original and eight (8) copies of a fully filled out and signed Notice of Appearance (*BZA NA-1*).
5. Nine (9) copies of the denial letter sent by the Building Department.
6. Nine (9) copies of detailed plans of proposed work. All plans are to include dimensions, elevation heights and data.
 - a. Proposed site plan including the existing conditions data as a composite drawing.
 - b. Proposed building floor plans.
 - c. Proposed roof plan.
 - d. Proposed building sections including existing building assemblies to be altered.
 - e. Proposed building elevations.
7. Nine (9) copies of the 3-inch storm water retention system design.
8. Nine (9) copies of the completed Code Relief Description form (*BZA CR-1*).
9. Nine (9) copies of photographs including, but not limited to front, rear, & side elevations.
10. Nine (9) copies of current & proposed street views of the subject property and neighboring properties.

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11. Nine (9) copies of an aerial photograph of the subject property and the neighboring properties.
12. Nine (9) copies of a Part 1 Short Environmental Assessment Form (SEAF) in accordance with State Environmental Quality Review Act (SEQRA)
13. Nine (9) copies of a 300-foot radius map of the subject property and nine (9) copies of the list of names and addresses of the properties shown on the map.
14. One (1) flash drive with all the above documentation. All files must be in .pdf, .jpg, .jpeg, .png, .docx, or .doc format.

All documents must be folded, collated, and separated into nine individual sets or they will not be accepted.

All applicants are required to serve legal notice accompanied by a filled out and signed Notice of Variance Hearing (*BZA N-1*) to all property owners within a 300-foot radius of the subject property. All notices are to be mailed first class and post-marked a minimum of fourteen (14) days prior to the date of the hearing. Affidavit of Serving Notice (*BZA ASN-1*) must be submitted at least ten (10) days prior to the hearing date.

Upon BZA approval, please be reminded that no work is to commence until a building permit is obtained.

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Building Department

Board of Zoning Appeals

Variance Application

Section: _____ Block: _____ Lot: _____

Address: _____

Description of Work: _____

Owner Information

Name: _____ Email: _____

Address: _____ City: _____ St: _____ Zip: _____

Telephone Number _____

Architect/Engineer Information

Name: _____ Email: _____

Address: _____ City: _____ St: _____ Zip: _____

Telephone Number _____

Fees:

- One-family & two-family residence:.....\$2,000
- Commercial, multiple dwellings, schools, & places of public assembly:
 - Single variance:.....\$2,500
 - Multiple variances:.....\$3,000

Building requesting variance

Occupancy: ☐ One-family or two-family residence ☐ Accessory Structure ☐ Pool
☐ Multiple residences ☐ Commercial ☐ Recreational Structure

Scope of work: ☐ New work ☐ Repair ☐ Addition

Requesting variance from the following requirement(s)

☐ Building coverage ☐ Surface Coverage ☐ Building Height ☐ Accessory Structure Setback
☐ Setback ☐ Height/Setback Ratio ☐ Eave Height ☐ Structure in Front Yard
☐ Other: _____

State of New York

County of Nassau

Village of Lawrence

Notary Signature & Stamp:

The undersigned (Print Name) _____ being duly sworn, says that the statements contained in this application, together with the plans and specifications submitted, are a true and complete statement of all proposed work to be done on the described premise and that all provisions of the applicable ZONING ORDINANCE, BUILDING ADMINISTRATIVE ORDINANCE, BUILDING CONSTRUCTION CODE AND ANY APPLICABLE FEDERAL, STATE AND COUNTY REQUIREMENTS pertaining to the proposed work shall be complied with, whether specified or not and that such work is authorized by the owner.

Sworn to before me this _____ day of _____ 20 _____

Signature of Owner, Owner's Agent, Architect, Contractor

(Circle one)

ALL FEES ARE NON REFUNDABLE

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Building Department

HOMEOWNER AFFIDAVIT

STATE OF NEW YORK)
) SS:
COUNTY OF NASSAU)

_____, being duly sworn, depose and say:

Deponents are petitioners in the within application to the Board of Zoning Appeals of the Village of Lawrence; they have read the within petition and know the contents thereof; the same are true as to your deponent's own knowledge, except as to those matters alleged to be stated on information and belief and as to those matters, deponents believe them to be true.

(Sign Name)

Sworn to before me this

___ day of _____, _____

Notary Public

Notary Stamp

CODE RELIEF

CATEGORY	PERMITTED/REQUIRED	EXISTING	PROPOSED	OVERAGE
LOT COVERAGE* (sq ft) LOT COVERAGE* (%) *When Applicable				

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Building Department

NOTICE OF APPEARANCE

I, _____, will appear on behalf of
Architect, Attorney, Contractor, Etc. – print name

_____, owner(s) of
Owner(s) of property

_____, to seek a variance from the Board
the Address of property

of Zoning Appeals

Signature of Representative

Signature of Owner

Date

Date

Address

Address

City, State, Zip

City, State, Zip

Phone Number

Phone Number

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information				
Name of Action or Project:				
Project Location (describe, and attach a location map):				
Brief Description of Proposed Action:				
Name of Applicant or Sponsor:			Telephone:	
			E-Mail:	
Address:				
City/PO:			State:	Zip Code:
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?			NO	YES
If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<input type="checkbox"/>	<input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency?			NO	YES
If Yes, list agency(s) name and permit or approval:			<input type="checkbox"/>	<input type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ acres				
b. Total acreage to be physically disturbed? _____ acres				
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres				
4. Check all land uses that occur on, are adjoining or near the proposed action:				
<input type="checkbox"/> Urban	<input type="checkbox"/> Rural (non-agriculture)	<input type="checkbox"/> Industrial	<input type="checkbox"/> Commercial	<input type="checkbox"/> Residential (suburban)
<input type="checkbox"/> Forest	<input type="checkbox"/> Agriculture	<input type="checkbox"/> Aquatic	Other(Specify):	
Parkland				

5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	NO <input type="checkbox"/> <input type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/>	N/A <input type="checkbox"/> <input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO <input type="checkbox"/> <input type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO <input type="checkbox"/> <input type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/>	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest Agricultural/grasslands Early mid-successional Wetland <input type="checkbox"/> Urban Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO <input type="checkbox"/>	YES <input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO <input type="checkbox"/>	YES <input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____ _____	NO <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: _____ _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>
49. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: _____ Date: _____ Signature: _____ Title: _____		

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AFFIDAVIT OF SERVING NOTICE

STATE OF NEW YORK)
) SS:
COUNTY OF NASSAU)

Attached is a radius map along with a complete and accurate list of property owners within a 300' radius of _____
(Address)

otherwise known as Section_____, Block_____, Lot_____.

_____, residing at _____,
(Name) (Address)
being duly sworn, deposes and says:

On the ____ day of _____, _____, I served a true copy of the notice required by the Rules and Regulations of the Board of Zoning Appeals of the Incorporated Village of Lawrence at least fourteen (14) days prior to the hearing date.

(Sign Name)

Sworn to before me this

____ day of _____, _____

Notary Public

Notary Stamp

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NOTICE OF VARIANCE HEARING

I, _____, am appearing before the Village of Lawrence Board of Zoning Appeals requesting relief from:

Section(s)-

For _____
(address)

Please be advised, the hearing is scheduled to take place on _____ at 7:30
p.m. at ☐ Lawrence Village Hall ☐ Lawrence Yacht & Country Club
196 Central Avenue 101 Causeway
Lawrence, NY 11559 Lawrence, NY 11559

Anyone who wishes to attend may do so.

Signature of Owner

Date

SAMPLE PETITION

BOARD OF ZONNING APPEALS
INCORPORATED VILLAGE OF LAWRENCE

-----X

In the matter of the Application of
XXXXXXXXXX
Petitioners

PETITION

For a variance of Section 212-XX.X,
212-XX.X, & 212-XX.X of the
Code of the Village of Lawrence

-----X

TO THE BOARD OF ZONNING APPEALS

The petitioners, XXXXX, respectfully allege as follows:

1. The petitioners are the owners of the premises known as XXXXX. The said premise is known as Section 4X, Block X, Lot X. The premise lies in a Residence "X" Zone.
2. The petitioners are hereby appealing to the Board of Zoning Appeals for a variance from the requirements of the Code. Compliance with the Code provisions imposes practical difficulties and unnecessary hardship.
3. The petitioners find the existing house on the premises to be inadequate in size for their growing family's living, sleeping, and recreational needs and intend to add to the dwelling. The proposed additions will be in character with the neighboring properties.
4. Accordingly, the petitioners' architect, XXXXXXXXX, has designed proposed plans indicating one and two story additions; which would enable the petitioners to enlarge the existing space to provide a new breakfast room, kitchen, dining room, living room, porch, 3-2nd floor bedrooms and 2nd floor baths for their growing family.
5. The proposed additions are shown on the plot plan annexed hereto as Exhibit "A".
6. An application for a building permit was made and denied by letter of the Building Inspector dated XXXXXXXXX; a copy is annexed as Exhibit "B".

SAMPLE PETITION

The bases for denial are:

- a) As to the proposed distance of the addition from the side property line, Section 212-12.1 requires that every building hereafter erected or altered shall have a side yard of not less than XX feet with an aggregate of not less than XX feet for a lot XX ft² in area. Section 212-12.1 permits a maximum side yard height/setback ratio of XX for a lot XX ft² in area. The existing building is currently XX feet and XX feet from the side property line and has an aggregate of XX feet (see survey annexed as exhibit "C"). The proposed additions will encroach no further into the existing side building lines.
 - b) Section 212-12.1 permits a maximum surface area coverage of XX ft² for a lot XX ft² in area. The proposed building will exceed the allowable building area coverage by XX ft².
7. The authority of the Board with respect to area variances is set forth in the Village Law, Section 7-712-b, which provides, in substance, that area variances may be granted by the Board of Zoning Appeals; that in making its determination, the Board shall take into consideration "The benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety, and welfare of the neighborhood or community by such grant." In making its determination, the Board is authorized to consider:
- (i) whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance;
 - (ii) whether the benefits sought can be achieved by some method feasible for the applicant to pursue other than an area variance;
 - (iii) whether the requested variance is substantial;
 - (iv) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood; and
 - (v) whether the alleged difficulty was self-created.

It is significant to note that the language of the statute indicates that the foregoing items shall be relevant to the decision of the Board, but "shall not necessarily preclude the granting of the area variance.

8. Your petitioner further alleges, and testimony on the hearing will confirm, that the granting of this application

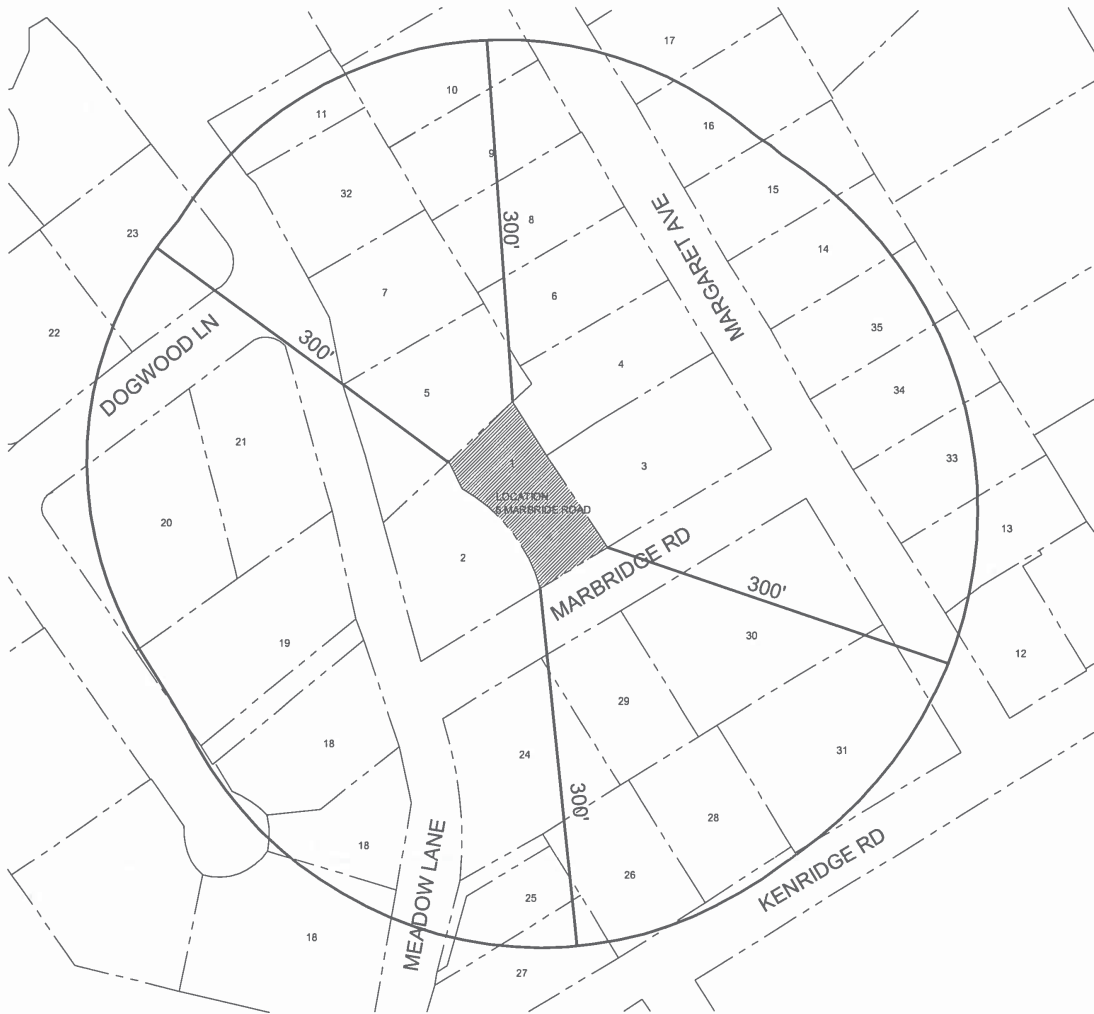
SAMPLE PETITION

- (a) will not result in an undesirable change in the character of the
Neither neighborhood, nor will there be a detriment to nearby
properties;
- (b) that the benefit sought can not be achieved by any other method
feasible for the petitioner to pursue;
- (c) that the requested variance is not substantial;
- (d) that the requested variance will not have an adverse effect or
impact on the physical or environmental conditions in the
neighborhood.

WHEREFORE, petitioner respectfully requests that this application for a variance of
Sections 212-12.1 of the Code of the Village of Lawrence, be granted, and for such other
and further relief as may be just and proper.

Dated: _____

XXXXXX



RADIUS MAP

1" = 100'